

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Case No: 17-10036-RLJ-13

MELVIN DUDLEY, SR.
CYNTHIA DUDLEY

Pre-Hearing Conference: August 1, 2018, 8:30 AM
Hearing Date: August 1, 2018, 11 :00 AM

Debtors

TRUSTEE'S OBJECTION TO
NOTICE OF MORTGAGE PAYMENT CHANGE
FILED 6/8/18

TO THE HONORABLE Robert L. Jones, U.S. BANKRUPTCY JUDGE:

Now comes Robert B. Wilson, the Standing Chapter 13 Trustee and files this "Trustee's Objection to Notice of Mortgage Payment Change filed 6/8/18 " heretofore filed by U.S. Bank Trust National Association (mortgagee), and for the same would respectfully show the Court as follows:

1. The Trustee objects to the Notice of Mortgage Payment Change filed 6/8/2018 as the escrow analysis reflects a negative beginning balance of \$7,522.72 on June 2018.
2. This case was filed February 22, 2017 and the pre-petition arrears of \$30,703.20 included all arrears up to petition date of 2/22/2017. Subsequently, the Trustee has been paying the monthly payment of \$946.27 as prescribed in the proof of claim filed 7/25/17. To date, these payments are current. Therefore, it is difficult to comprehend such a huge negative escrow balance. No prior Notices of Mortgage Payment Changes have been filed since the inception of this case.
3. The Trustee requests a review of the escrow account in that an increase in payment of this magnitude would seem unreasonable under these circumstances.
4. The Trustee would note that the Debtor's monthly mortgage payment is requested by U.S. Bank Trust to increase from \$946.27 to \$1,158.96.

WHEREFORE, the Trustee request an order denying the mortgagee's Notice of Mortgage Payment Change.

Date: June 21, 2018

/s/ ROBERT B. WILSON
Robert B. Wilson, Bar # 21715000
Chapter 13 Trustee
Marc McBeath, Bar# 13328600
Staff Attorney

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

IN RE:
MELVIN SOLOMON DUDLEY SR.
CYNTHIA LEE DUDLEY

CASE NO: 17-10036
DATE: JUNE 21, 2018
HEARING DATE: AUGUST 01, 2018
HEARING TIME: 11:00 AM

**NOTICE OF HEARING ON THE TRUSTEE'S OBJECTION TO NOTICE OF MORTGAGE PAYMENT
CHANGE FILED 6/8/18**

PLEASE TAKE NOTICE THAT A HEARING ON THE TRUSTEE'S OBJECTION TO NOTICE OF MORTGAGE PAYMENT CHANGE FILED 6/8/18 WILL BE HEARD BY ROBERT L. JONES ON: AUGUST 01, 2018 AT 11:00 AM


FOR LIVE COURT:
US COURTHOUSE ROOM 2201
3RD AND PINE STREET
ABILENE, TX 79604

FOR VIDEO COURT:
US COURTHOUSE ROOM 2201
3RD AND PINE STREET
ABILENE, TX 79604

A PRE-HEARING CONFERENCE SHALL BE HELD AT THE LOCATION BELOW ON AUGUST 01, 2018 AT 8:30 AM. ALL PARTIES ARE REQUIRED TO ATTEND THE PRE-HEARING CONFERENCE.

PRE-HEARING CONFERENCE:
US COURTHOUSE ROOM 2201
3RD AND PINE STREET
ABILENE, TX 79604

DATED: JUNE 21, 2018


/s/ Robert B. Wilson
Robert B. Wilson, Chapter 13 Trustee
1407 Buddy Holly Avenue
Lubbock, TX 79401-9401

Robert B. Wilson
Chapter 13 Trustee
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**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

IN RE:

**MELVIN SOLOMON DUDLEY SR.
CYNTHIA LEE DUDLEY**

Debtors

Chapter 13

Case No: 17-10036

Dated: 06/21/2018

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached document was sent via First Class Mail or electronically served to the parties listed below at the address supplied as follows.

Name & Address

Name & Address

MELVIN SOLOMON DUDLEY SR.
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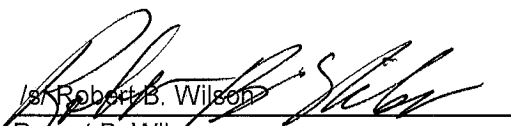
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WILLIAM T NEARY
UNITED STATES TRUSTEE
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DALLAS, TX 75242


Robert B. Wilson
Chapter 13 Trustee
By: Kathy Westbrook